

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Southeast Combined Neighborhood Plan

CASE#: NPA-2007-0014.01

PC PUBLIC HEARING DATE & ACTION: Tuesday, November 13, 2007,
*APPROVED A CHANGE IN THE LOCATION OF THE INDUSTRY AND OPEN SPACE
DESIGNATIONS ON THE FUTURE LAND USE MAP, AS STAFF RECOMMENDED; BY
CONSENT.*

[J. REDDY, M. DEALEY – 2ND] (9-0)

ADDRESS: 7910 Burleson Road **AREA:** 30.185 Acres

APPLICANT: Permit Solutions (Betty Torres)

OWNER: Felter Interests, Ltd. (Brenda Horton)

AGENT: Permit Solutions (Betty Torres)

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Open Space and Industry

To: Industry and Open Space

Related Zoning Case: C14-2007-0152

Base District Zoning Change

From: RR-CO-NP; IP-NP, IP-CO-NP

To: RR-CO-NP; LI-CO-NP

PLAN ADOPTION DATE: October 10, 2002

STAFF RECOMMENDATION: The staff recommendation is to **APPROVE** the requested change from Open Space and Industry on the Future Land Use Map (FLUM) to Industry and Open Space land use designations.

BASIS FOR RECOMMENDATION: The requested amendment is consistent with the goals of the plan in the Southeast Combined Neighborhood Plan. See *Analysis* for more details.

BACKGROUND: The Southeast Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on October 10, 2002. The requested plan amendment is in the Southeast Neighborhood Planning Area. The boundaries of the planning area are: State HWY 71 Ben White on the north, US HWY 183 on the east, Burleson Road on the south and Montopolis on the west.

The subject tract is a 30.185 acre lot currently occupied by a vacant single story warehouse. The subject property has an unnamed tributary running through it, but the tributary was re-engineered in 2003 and is now located to the northwest corner of the property. FEMA has provided documentation confirming the relocation of the tributary. Currently, the tributary has a 50' creek setback prohibiting any development within it. The applicant is requesting the plan amendment and zoning change, but has no immediate plans to develop the site. As part of the Southeast Combined neighborhood planning process, the subject tract was not rezoned.

ANALYSIS: The Southeast Combined neighborhood plan goals state:

1. Create land use and zoning recommendations that reflect the existing industrial nature of parts of the planning area.
2. Preserve the unique, rare and significant features of the Southeast Combined Planning Area's natural environment.

The proposed plan amendment is consistent with these Goals.

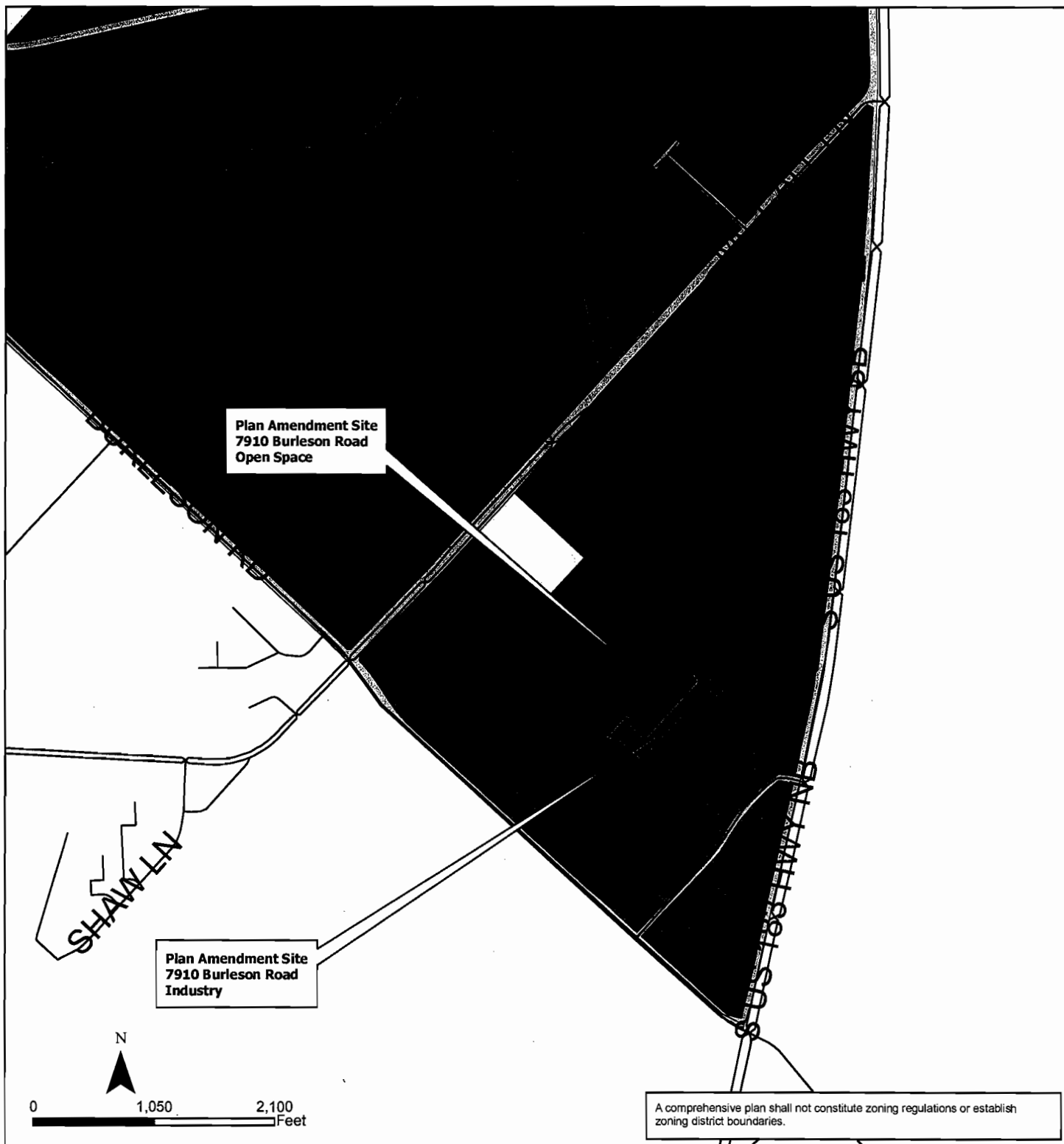
PUBLIC MEETINGS: NPZD staff held a public stakeholder meeting on October 1, 2007. Invitations were sent to the Southeast Combined interest list and property owners within 300 feet of the proposed plan amendment.

The Southeast Combined Planning Contact Team does officially support the proposed plan amendment and zoning change with the understanding that all future development will be outside of the 50' creek setback and that the new location of the tributary (northwest corner of the property) be designated with the future land use of open space. Please refer to the attached letter.

CITY COUNCIL DATE: December 13, 2007

CASE MANAGERS: Gregory Montes (Plan Amendment) 974-2629
Wendy Rhoades (Zoning Case) 974-7719

EMAIL: gregory.montes@ci.austin.tx.us
wendy.rhoades@ci.austin.tx.us



Southeast Neighborhood Plan Amendment NPA-2007.0014-01

This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for the sole purpose of assisting in neighborhood planning discussions and decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.



Created on 8/17/2007

Future Land Use

	Agriculture		Office
	Rural Residential		Mixed Use/Office
	Single-Family		Major Planned Development
	Higher-Density Single-Family		Industry
	Mobile Homes		Major Impact Facilities
	Mixed Residential		Civic
	Multifamily		Recreation & Open Space
	Commercial		Environmental Conservation
	Mixed Use		Transportation
	High Density Mixed Use		Utilities
	Warehouse/Limited Office		Water

4202 Afton Lane
Austin, TX 78744
29 October 2007

City of Austin
Neighborhood Planning and Zoning Department
Gregory Montes
P. O. Box 1088
Austin, Texas 78767-8810

RE: Case No. NPA-2007-014.01

Dear Mr. Montes,

With the agreed-on designation of the re-located creek and wetlands as an RR zoned and protected area, the Southeast Combined Neighborhood Plan Contact Team (SEAC) supports the applicant's request for amendment and rezoning.

Sincerely,

M. L. Sloan,
on behalf of SEAC

DRAINAGE EASEMENT

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PERESENTS

COUNTY OF TRAVIS

That Felter Investments, Ltd , acting herein by and through, Brenda Horton, Managing General Partner, Trustee referred to as Grantor, whether one or more, for and in consideration of the sum of Ten Dollars(\$10 00) and other good and valuable consideration, to Grantor in hand paid by the City of Austin, the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien or encumbrance, expressed or implied, is retained, have this day GRANTED and CONVEYED and by these presents do GRANT and CONVEY unto the City of Austin, a Municipal Corporation situated in the counties of Travis, Williamson and Hays, and whose address is P O Box 1088, Austin, Texas 78767-1088, Attn Real Estate Division, an easement for the construction, operation, replacement, upgrade and repair of a storm water drainageway to consist of an open drainageway and or enclosed storm sewer pipe or structure, in, upon and across the following described land, to-wit

All that certain trace piece or parcel of land, lying and situated in the County of Travis State of Texas, described in EXHIBIT "A" attached hereto and made a part hereof for all purposes, to which reference is made for a more particular description of said property

TO HAVE AND TO HOLD perpetually to the City of Austin and its successors and assigns, together with the privilege at any and all times to enter said property, or any part thereof, for the purpose of constructing, operating, replacing, upgrading and repairing said storm water drainageway

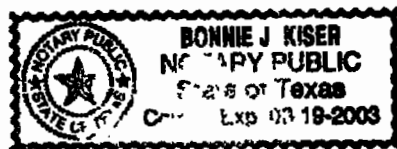
IN WITNESS THERE OF, Grantor has caused this instrument to be executed this 19TH day of MARCH, 2002

BRENDA HORTON

Brenda Horton, Managing General Partner, Trustee
Felter Investments, Ltd

THE STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged befor me on the 19TH day of MARCH, 2002 by Brenda Horton, Managing General Partner, Trustee on behalf of Felter Investments, Ltd



Bonnie J. Kiser

4/19/08
4/19/08

EXHIBIT "A"
METES AND BOUNDS DESCRIPTION

BEING A 5.423 ACRE PORTION OF A 30.185 ACRE TRACT OUT OF THE SANTIAGO DEL VALLE GRANT CONVEYED TO FELTER INVESTMENTS, LTD., IN VOLUME 12740, PAGE 473, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING FOR REFERENCE at a 1" rebar found on the east right-of-way of Burleson Road, at the west corner of said Felter tract, also the south corner of a 1 00 acre tract conveyed to Christopher M. Maloy, in Document No 2001022433, Official Records, Travis County, Texas,

THENCE with the common line between Maloy and Felter, N 47°04'08" E 388 81 feet to a ½" rebar found, at the east corner of said Maloy tract, also the south corner of Tract A, of the Alvin Benner Subdivision, as recorded in Book 46, Page 4, of the Plat Records, Travis County, Texas;

THENCE with the common line between said Tract A and Felter, N 47°13'00" E 675 46 feet to the west corner and PLACE OF BEGINNING hereof,

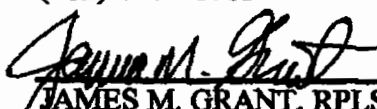
THENCE continuing with said common line, N 47°13'00" E 1045 00 feet to a ½" rebar found, at the east corner of said Tract A, on the west line of a 149.89 acre tract, as conveyed to Bradshear Family Trust and Pap Realty Partnership in Volume 13080, Page 511, Real Property Records, Travis County, Texas, at the north corner of said Felter tract, for the north corner hereof,

THENCE with the common line between Bradshear and Felter, S 42°58'46" E 325.59 feet to the east corner hereof,

THENCE traversing through the interior of said Felter tract, the following three courses;

- 1) S 75°12'10" W 235.67 feet to a point;
- 2) S 47°13'00" W 838.00 feet to the south corner hereof;
- 3) N 42°47'00" W 215.00 feet to the PLACE OF BEGINNING, containing 5.423 acres of land, more or less.

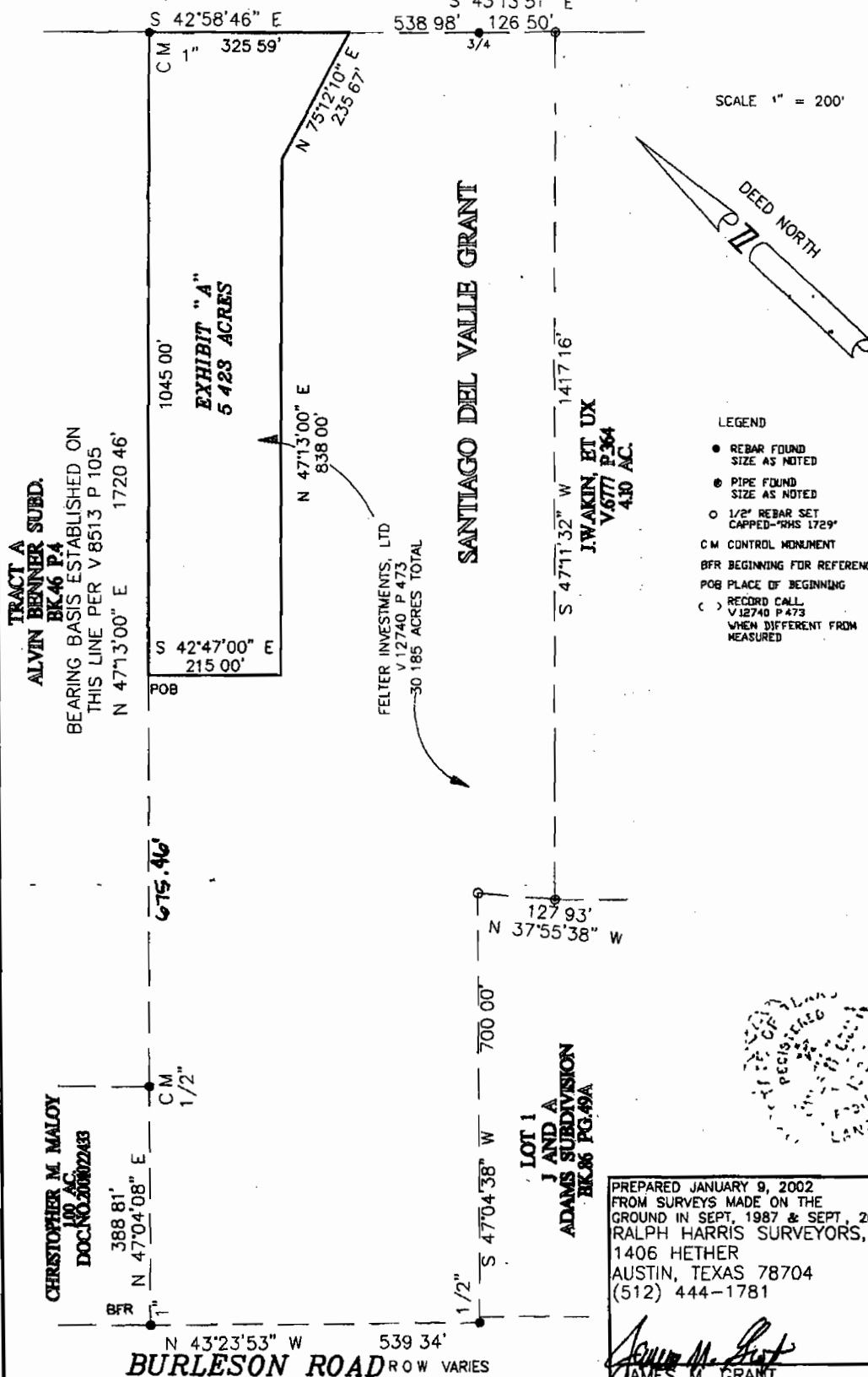
SEE SKETCH PREPARED TO ACCOMPANY THIS DESCRIPTION.
PREPARED JANUARY 9, 2002 FROM SURVEYS MADE ON THE GROUND
IN SEPT., 1987 AND SEPT., 2001 BY: RALPH HARRIS SURVEYOR, INC.
1406 Hether Street, Austin, Texas 78704
(512) 444 - 1781



JAMES M. GRANT, RPLS NO. 1919
JG\mydocs\38828rr

EXHIBIT "A"
SKETCH TO ACCOMPANY
METES AND BOUNDS DESCRIPTION
FOR ZONING CHANGE

BRADSHAW FAMILY TRUST AND PAP REALTY PARTNERSHIP - V13080 P511 - 149.89 ACRES



Return:

David Weiss

4704- A E. Cesar Chavez

Austin, Tx 78702

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

03-20-2002 09 47 AM 2002052281
BENAVIDESV \$15.00
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

